

Claim 36 was rejected under 35 USC 103(a) as being unpatentable over Chowdry et al. in view of Silvis et al. (U.S. Patent No. 5,629,050).


Chowdry et al. discloses a method of printing an image onto a receiving surface by first applying a thin coating to the receiving surface. The Office Action interprets the thin coating as anticipating the "thermoplastic material" described in the instant application. In order to more clearly differentiate the Applicant's "thermoplastic material," which in the specification is disclosed as being injection molded or extruded, independent claims 26, 39 and 43 have been amended to require that the material is specifically required to be molded or extruded.

Claims 26, 39 and 43 have also been amended to require that the thermoplastic material and toner form a single unsupported layer. This requirement is not taught by Chowdry et al. or the combination of Chowdry et al. with the other cited art. In fact, Chowdry et al. requires a receiver substrate which does not melt, soften, or lose mechanical integrity during transfer, sintering or fixing of toner particles. Column 4, lines 13-22. Such a substrate is ostensibly required because the thin coating does not offer sufficient structure to withstand the Chowdry et al. heat transfer process. Therefore, the Chowdry et al. thermoplastic coating cannot be said to anticipate or render obvious Applicant's use of molded or extruded thermoplastic material since Chowdry et al. would be inoperable without the underlying substrate.

Furthermore, independent claims 39 and 43 disclose heating both the thermoplastic material and the toner so that each reaches a reactive state. This requirement is not disclosed by Chowdry et al. The Office Action states "[b]onding [between the toner and coating] would not occur if each was not in a reactive state since bonding per se is a reactive state as set forth by Applicant's specification page 1, 23-29; page 4, 10-12; page 5, 8-11." Applicant cannot find support for such an interpretation of the specification and requests identification of the specific language used to make such a interpretation. Furthermore, it is clear from Chowdry et al. that bonding can occur when only one of the components is heated to a reactive state. Again, at column 4, lines 13-22 Chowdry et al. discusses how the receiver substrate is largely unaffected during application of the coating. That is, the coating may reach a reactive state but the receiver clearly does not. Of course, the coating is bound to the receiver.

Applicants believe that all claims as amended are in proper form for allowance and early favorable action is requested. The Examiner is invited to call the undersigned attorney if that would be helpful in facilitating resolution of any issues which might remain.

Respectfully submitted,

  
James P. Delaney  
Registration No. 45,578

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Jansson, Shupe & Munger, Ltd.  
245 Main Street  
Racine, WI 53403-1034  
Attorney Docket No. JFH-A12898

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26. (amended) A method of printing on an extruded thermoplastic material comprising the steps of:

- electrographically printing a toner consisting of a coloring agent and thermoplastic toner particles directly onto the extruded thermoplastic material;
- bringing the thermoplastic material into a material reactive state; and
- hardening the thermoplastic material thereby establishing a bond between the toner and the thermoplastic material,

whereby the thermoplastic material and toner form a single unsupported layer.

39. (amended) A method of printing on a molded thermoplastic material comprising the steps of:

- heating a toner comprised of a coloring agent and thermoplastic toner particles to a toner reactive state;
- heating the molded thermoplastic material to a material reactive state;
- electrographically printing the toner directly onto the thermoplastic material; and
- hardening the thermoplastic material thereby establishing a bond between the toner and the thermoplastic material,

whereby the thermoplastic material and toner form a single unsupported layer.

43. (amended) A method of printing on a molded thermoplastic material comprising the steps of:

- heating the thermoplastic material to a material reactive state;
- electrographically printing a toner directly onto the molded thermoplastic material such that the toner is heated by the thermoplastic material and reaches a toner reactive state; and
- hardening the thermoplastic material thereby establishing a bond between the toner and the thermoplastic material,

whereby the thermoplastic material and toner form a single unsupported layer.